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FILED IN THE  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

NOV 10 2014

SEAN F. McAVOY, CLERK  
DEPUTY  
SPOKANE, WASHINGTON

Justin-Breithaupt:Family of Breithaupt  
P.O. Box 483  
Pomeroy, Washington  
509-843-7256, 509-843-1828

~~Superior Court Clerk's Office~~  
~~100 Main St.~~  
~~Pomeroy, WA 99347~~

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

Justin Chad Breithaupt (Propria Persona 'in pro per.')  
Plaintiff,  
v.  
Matt Newberg, John Henry, & the  
GARFIELD COUNTY SHERIFF'S OFFICE,  
Defendant.

**Case No. 2:14-CV-344-JLQ**

**Motion to File as a Private Attorney General,  
Private People / Man, or Private Prosecuting  
Attorney, or even a Next Friend. Declaration.**

**Plaintiff declares:**

that under penalty of perjury, the complaints in this and the following attached documents are true and correct, complete, and not misleading. I should not, and am not required to request permission to do this, as a private man, but I am doing so in a motion, in order to find out if any effort I make in this court to do so, will produce any Just result. As you can see in the Enclosed Documents, I have attempted to contact many forms of Government, including Federal, State, and I first tried reporting to all local Government (Not yet provided in Case No. **2:14-CV-344-JLQ**) and they all claim that they don't have Jurisdiction here, or fail to respond. I have contacted the FBI, WSP, and other agencies, in addition to what you see here, and all of them claim they have no Jurisdiction in Garfield County Washington. As you know I've been working on this for 2-3 years now, and that's why Matt Newberg retaliated against me, and took Mindy Breithaupt's side when she was selling drugs, as seen in Case Number 14-C08003. All of the local authorities are well aware, as well as CPS, and Matt Newberg, and even at the highest level of WA State CPS; in regards to what happened to Mindy Breithaupt's kids, Michelle Forceir, Madison Neal, Michelle Forcier's children, and in regards to what the Pomeroy Police Department got away with, and was rewarded for. This gross negligence and public endangerment, can not, and will not be tolerated by me or by God. I don't have the education that you have, but I do know that a private people has more power and authority than anyone else, but that a Private Attorney General can represent children or other injured parties without their consent, just as Matt Newberg represented Mindy Breithaupt as THE STATE OF WASHINGTON against me without her consent. This is in the best interest of the good people of Garfield County Washington. As I declared on the record on 11-03-2014 in Case Number 14-C08003: "*Today in front of these witnesses, I declare that I will not stop until the Lord has established Justice here, and all corrupt and evil men have fallen who choose not to repent and turn back to God. All Glory be to God, Jesus Christ, who has instructed me.*" I will decree in any case I bring against these criminals, that any acting official who has knowledge of these crimes, and does nothing, at any level of Government, shall be held accountable under the same penalties given to those criminals they ignored. I will not be silent any more. If I must I will go all the way up to the Grand Unified Common Law Grand Jury of Washington State, and they will be making a lot of noise very soon. I am also requesting legal council to assist me in these matters. **This motion is in regards to filing a Criminal Cases, in addition to this Claim of Injury I have already filed. I do not expect THE STATE OF WASHINGTON to give me any aid, as you can see in these attached letters.**

Executed without the Federal United States 11-06-14

Under necessity, I do not consent to this matter (14-C08003), other than the discharge of the liability herein.

Sincerely,

Signed Justin Breithaupt Date 11-06-14  
Justin-Chad: Breithaupt, Authorized Representative  
FOR: JUSTIN CHAD BREITHAUPt,  
Entity/Enslegis

~~Previously Attempted To File, but not filed due to refusal by Court Clerk~~

1. Item # ~~11062014/MTFAPAGPPMPPANF/JCB-14~~

Enclosed:

1. Item # 11062014/MTFAPAGPPMPPANF/JCB-14
2. ODC File: 14-01654
3. Doc #446506
4. DRM No. 30071292
5. Complaint No 7743

signature and date ALL RIGHTS RESERVED & WAIVING NONE Justin Breithaupt Date 11-06-14

'Errors and omissions are consistent with intent'



**WSBA**  
OFFICE OF DISCIPLINARY COUNSEL

**Felice P. Congalton**  
Associate Director

September 19, 2014

Justin C. Breithaupt  
PO Box 483  
171 24th St  
Pomeroy, WA 99347

Re: ODC File: 14-01654  
Your grievance against lawyer Matthew Lee Newberg

Dear Mr. Breithaupt:

We received your grievance against a lawyer and assigned the file number indicated above. We appreciate receiving information from the public about lawyers licensed in Washington state. However, our authority and resources are limited. The Office of Disciplinary Counsel is authorized to investigate a grievance against a lawyer to determine whether the lawyer's conduct should have an impact on his or her license to practice law. We are not a substitute for protecting your legal rights. We do not and cannot represent you in legal proceedings.

We reviewed your grievance and determined that your primary concern is conduct by a lawyer who is the prosecutor in a criminal case against you. We are not in a position to reconsider court proceedings. It does not appear that the court has found any impropriety. Regarding the lawyer's handling of other matters, we are not generally in a position to reassess a lawyer's professional judgment.

We believe it is in your best interest, and in the best interest of the lawyer against whom you are complaining, that we tell you as soon as possible if it appears that the conduct you describe is not within our jurisdiction, does not violate the Supreme Court's Rules of Professional Conduct (RPC), or does not warrant further investigation by our office. Under the Rules for Enforcement of Lawyer Conduct (ELC), a lawyer may be disciplined only upon a showing by a clear preponderance of the evidence that the lawyer violated the RPC.

Based on the information we reviewed, there is insufficient evidence to warrant further action; therefore, we are dismissing your grievance under ELC 5.7(a). If you do not mail or deliver to us a written request for review of this dismissal within **forty-five (45) days** of the date of this letter, the decision to dismiss your grievance will be final. Should there be a judicial finding of impropriety, you may request that we reopen this matter. Absent special circumstances, and unless we are provided with reasons to do otherwise, we will forward to you a copy of any response we receive from the lawyer.

Sincerely,

Felice P. Congalton  
Associate Director

cc: Matthew Lee Newberg  
(with enclosure and copy of grievance)

DO NOT SEND US ORIGINALS. We will scan and then destroy the documents you submit.



## U.S. Department of Justice

## Civil Rights Division

Federal Coordination and Compliance Section-NWB  
950 Pennsylvania Avenue, NW  
Washington, DC 20530

Doc #446506

AUG 12 2014

Mr. Justin C. Breithaupt  
P.O. Box 434  
Pomeroy, WA 99347

Dear Mr. Breithaupt:

Your letter has been received by the Federal Coordination and Compliance Section of the Civil Rights Division of the U.S. Department of Justice.

This section coordinates the enforcement of various statutes that prohibit discrimination based on race, color, national origin, sex, and religion in programs that receive federal financial assistance. We also investigate complaints of discrimination on these bases against certain recipients of federal financial assistance from the U.S. Department of Justice (DOJ). DOJ's recipients mainly include police and sheriffs' departments, state departments of corrections, courts, and other similar entities.

The documentation and information that have been submitted are insufficient to state a claim of a violation of the statutes we enforce. Accordingly, this office will not further review or investigate this matter.

We regret that we could not be of assistance to you. Please be advised that our action does not preclude you from seeking a remedy in any other forum that may be available to you.

Sincerely,

Deeana Jang  
Chief  
Federal Coordination and Compliance Section  
Civil Rights Division



Bob Ferguson

**ATTORNEY GENERAL OF WASHINGTON**

Torts Division

7141 Cleanwater Dr SW • PO Box 40126 • Olympia WA 98504-0126

November 3, 2014

Justin Breithaupt  
P.O. Box 483  
Pomeroy, WA 99347

**RE: Claim of Justin Breithaupt**  
**DRM No. 30071292**

Dear Mr. Breithaupt:

We have received your tort claim against the Department of Social and Health Services, which alleges DSHS staff failed to protect your ex-wife's children from harm. Because you are not the children's parent, you do not have standing to bring a tort claim on their behalf. Accordingly, your claim is denied.

Your claim also raised allegations concerning the Garfield County Sheriff's Office. The Attorney General's Office has no jurisdiction over those issues. If you wish to pursue the matter, you should file a claim directly with Garfield County.

Sincerely,

A handwritten signature in black ink, appearing to read "Leigh J. Swanson".

LEIGH J. SWANSON  
Chief Torts Investigator/Claims Manager



STATE OF WASHINGTON  
COMMISSION ON JUDICIAL CONDUCT

P. O. Box 1817, Olympia, WA 98507  
(360) 753-4585 FAX (360)586-2918

October 7, 2014

CONFIDENTIAL

Justin Breithaupt  
PO Box 483  
Pomeroy, WA 99347

RE: Complaint No. 7743

Dear Mr. Breithaupt:

The Commission on Judicial Conduct has reviewed the above-referenced matter you provided to determine whether sufficient basis exists for action by this Commission.

Under the state constitution, the authority of the Commission is limited to enforcing the Code of Judicial Conduct. The Commission determined that no violation of the Code of Judicial Conduct warranting sanctions was substantiated by clear, cogent and convincing evidence in this matter. Accordingly, this complaint has been closed.

We appreciate your assistance.

Sincerely,

A handwritten signature in black ink, appearing to read "J. Reiko Callner".

J. Reiko Callner  
Executive Director

JRC:kr